

**REMARKS**

This amendment is responsive to the office action dated January 4, 2007. Claims 17-67 stand rejected. Reconsideration of this application is respectfully requested for the reasons indicated here.

***Specification***

The Examiner objects to the preliminary amendment filed October 16, 2003, under 35 U.S.C. 132(a) because it introduces new matter into the disclosure. 35 U.S.C. 132(a) states that no amendment shall introduce new matter into the disclosure of the invention. The Examiner states that the added material, which is not supported by the original disclosure is as follows:

the newly introduced subject matter in paragraphs 49 and 52 which describe wireless video communication. In paragraph 49 of the specification, as originally filed in parent application 08/189,405, applicant states "It is currently recognized that cellular transmission will ultimately provide dynamic motion and high resolutions freeze frame displays." Therefore, it is clear that at the time of invention, Applicant did not have possession of the claimed invention.

The Examiner indicates that the Applicant is required to cancel the new matter in the reply to this Office Action. First of all, Applicant respectfully traverses the Examiner's allegation that the at the time of the invention, Applicant did not have possession of the claimed invention because the Examiner cites only the following statement to support this contention.:

It is currently recognized that cellular transmission will ultimately provide dynamic motion and high resolutions freeze frame displays.

Applicant respectfully submits that the Examiner conveniently overlooks the following teaching (indicated below in italics) by Applicant in the specification:

**[0049]** The central traffic control station TIS may automatically place a call (for example, to broadcast a proposal request from a buyer) to the

appropriate vendor locations, determined by a database of vendor locations qualified (for example, as by specific category or sub-category) for the particular merchandise for which the buyer requests proposals. Likewise, when executing appointments, the buyer may place a call to the appropriate vendor location, determined also by a database associated with the particular one of the vendor locations L1-Ln, with which the specific buyer has an appointment scheduled. Alternatively, the buyer may actuate an autodialer, such that the autodialer code number (obtained from the central traffic control station database) displayed on the buyer's video terminal connects him or her to the appropriate vendor. In the event there are complications *or otherwise, the buyer may use* a regular telephone *or a cellular telephone* and manually dial the telephone number displayed on the video terminal. It is currently recognized that cellular transmission will ultimately provide dynamic motion and high resolutions freeze frame displays. **At present, wireless interface structures are known for video cameras and video receivers to accommodate wireless video communication through the telephone company, i.e. the dial-up public telephone system. In that regard, see: U.S. Patent 4,825,457, issued April 25, 1989 to Mayer M. Lebowitz. Accordingly, using wireless video communication structures, as indicated above, the buyer, for example, may access an appropriate vendor location, as through a cellular telephone communication link.**

**[0052]** Each buyer system BS1-BSn may be equipped with a platform to accommodate select communications with various vendors. Assume that a person at vendor location L1 wishes to schedule an appointment with a buyer at buyer terminal V1. As a result, telephone equipment at the location L1 is actuated, either manually or automatically, prompting dial-up operations to accomplish a connection from the vendor location L1 through the telephone system TS to the traffic control system TIS.

Standard information, as the specific buyer with which the vendor may be entitled to schedule an appointment may be indicated by dialed number identification signals (DNIS) using a capability readily available from the telephone system TS, as for example on the so-called D-channel. It is to be noted that while the D-channel apparatus provides one operational configuration, some DNIS and/or ANI (Automatic Number Identification) data signals can be received in-band without D-channel apparatus. In any event, such signals may direct or qualify communication under control of the system TIS. It should be noted that DNIS and ANI signals can be used for identification, whereby the control computer CC may fetch identification data for graphic displays. **Also, as indicated above, cellular or other known wireless telephones links may be involved using known systems and techniques. In that regard, such structures may involve mobile identification numbers (MIN) which equate to ANI signals.**

Applicant respectfully submits that he clearly recognized that a buyer, not just in the event of complications, but otherwise as well, could use a cellular telephone, and therefore, wireless communication to conduct the operations discussed in this application. Cellular transmission was clearly state of the art (as established at least by the patent to Leibowitz) and therefore would be known to one of ordinary skill in the art. The standard for description as set forth in 37 CFR 1.71 (a), requires the Applicant to present a specification:

*37 CFR 1.71 Detailed description and specification of the invention.*

*(a) The specification must include a written description of the invention or discovery and of the manner and process of making and using the same, and is required to be in such full, clear, concise, and exact terms as to enable any person skilled in the art or science to which the invention or discovery appertains, or with which it is most nearly connected, to make and use the same.*

Therefore, Applicant respectfully requests the Examiner to reconsider this rejection.

***35 U.S.C. § 112 Rejections***

In paragraph 3 of the office action, the Examiner rejects claims 17-67 under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. The Examiner indicates that the claims contain “subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor, at the time the application was filed, had possession of the claimed invention.” Applicant has demonstrated above that he did not possession of the claimed subject matter at the time of the invention. Therefore, reconsideration of the claims presented here is respectfully requested.

Claim 17 further recites “billing data including a record of charges incurred for each buyer relating to transactions initiated by interfaced buyers” (lines 28-29). However, the Examiner indicates that in paragraph 93, the specification describes billing data as relating to communication charges, not transactions. Applicant respectfully submits that the communications relate ultimately to transactions, nevertheless, Applicant has amended the claim to recite “transaction communications.”

Claim 17 recites “electronically transmitting an indication of confirmation relating to the transaction initiated after an interface between the interfaced buyer and the traffic control system is terminated.” However, the specification does not describe any confirmation. Applicant respectfully directs the Examiner’s attention to Figure 9, which indicates an exemplary notification receipt with examples of confirmation data.

Reconsideration of this application is respectfully requested in view of the present form

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of the claims and the above arguments. The Examiner is invited to telephone the undersigned representative if an interview might expedite consideration and allowance of this application.

Respectfully submitted,

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